

Board of Selectmen's Meeting
October 17, 2013

Present: First Selectman Gayle Weinstein; Selectman David Muller; Selectman Dennis Tracey; Town Administrator Tom Landry; Administrative Assistant Judy DeVito; Residents.

This meeting was recorded and videotaped. Copies are available in the Selectmen's office. The meetings are available for viewing online via the Town's website.

Ms. Weinstein called the meeting to order at 7:40pm

Pledge of Allegiance- Previn Edwards led the meeting in the Pledge of Allegiance

Acceptance of a gift of a P.A. System at Bisceglie Baseball Fields with a value of \$320.48- Previn Edwards- Previn said he will be working with other scouts from his troop to install the P.A. System inside the pavilion at Bisceglie fields. The amp will be located inside the concession stand and the speakers will be located on the roof of the pavilion. It's a plug in system so there is no electrical work that needs to be done.

Parks and Recreation commission reviewed it at their meeting and it was unanimously approved. Weston Little League will be paying for the system and understands that if there are replacement costs, the Town will not be responsible for them.

Mr. Muller moved that the Town accept a gift of a P.A. System at Bisceglie baseball field with a value of \$320.48 from Weston League with the assistance of Previn Edwards. Mr. Tracey seconded and the motion passed unanimously.

Public Question and Answer Session for the Board of Selectmen- Ms. Weinstein said that since this is not a contested election, that the public loses their opportunity to question the Board the way it would be in a debate. The Board felt it was important to hear any questions or concerns.

Bob Machson- He is very happy with the Board. He wanted to talk about the SRO and his concern is that there is no one making the argument that this is not a smart thing to do. It concerns him because there are reasonable arguments on both sides and it should be debated. He thinks that a lot of people are afraid to speak up about the SRO because they are afraid of being labeled.

Bob feels that the Board of Education should make the determination that there should be an SRO in the school. However, if the SRO is leading us to have an additional police officer in addition to the compliment that we now have, he would be against it unless convinced otherwise.

Ms. Weinstein asked at the tri board meeting if there had been enough public discussion as to whether we should have an SRO or not. The Chairman of the Board of Education said that he felt that they had enough public discussion and that no one was against it. Ms. Weinstein said at the Board of Selectmen's meeting when we review the funding for this, there will be plenty of opportunity for public comment.

Christine Lomuscio -She hopes the school budget does not go up because of the SRO. Ms. Weinstein said that this position is a police officer, which is in the Town budget.

Discussion/decision regarding the appointment of Jon Weingarten SW CT EMS Council for a term to expire December 31, 2014. Ms. Weinstein said that Jon is president of EMS so he is a perfect fit for this appointment. Mr. Muller moved to appoint Jon Weingarten as Weston's Representative to SW CT EMS Council for a term to expire December 31, 2014. Mr. Tracey seconded and the motion passed unanimously.

Discussion/decision regarding hiring Bob Hatch for construction oversight on the Lachat property. Ms. Weinstein said we approved a contract to move forward with replacing the roof as well as the back half of the house. This is a public/private partnership with the Town paying for the roof and the Friends of Lachat paying for the other portion of the work. The Lachat committee came forward because they felt it was important that we look to hire someone to act as the owner's representative and oversee the project.

Ellen McCormick said Bob Hatch said he would take the job for 3% of the overall project cost. Right now the project cost is about \$82,800 so his cost would be about \$2,400. If the project goes up a little it's still at 3%. The town would pay the 3% cost on the portion of the roof and the Friends of Lachat have agreed to pay the 3% on the portion that they are covering.

Mr. Muller moved to hire Bob Hatch for construction oversight on the Lachat property. Mr. Tracey seconded and the motion passed unanimously.

Discussion/decision regarding \$42,500 for Ford Police Interceptor 4x4 utility vehicles- Beth Gralnick said they are not asking for this vehicle as an additional vehicle. They are asking for it to replace the rusted 10 year old Ford Expedition. Ms. Weinstein asked Sgt. Daubert to get rid of the Expedition as soon as possible.

Ms. Weinstein asked that Sgt. Daubert go over the vehicle fleet list that he gave to them for tonight's meeting because it did not match the vehicle fleet list that was in the budget for 2012-2013.

Ms. Weinstein let the other Selectmen know that we have \$571,000 in the vehicle sinking fund with \$320,000 committed to a loader and a snow plow which leaves an available fund balance of \$251,000.

Mr. Muller moved that they approve \$42,500 for a Ford Police Inceptor 4x4 utility vehicle funded from the Police car account in the amount \$30,000 and the vehicle sinking fund in the amount of \$12,500. Mr. Tracey seconded and the motion passed unanimously.

Discussion/decision regarding the 2014 Holiday Schedule – Mr. Muller moved to approve the 2014 Holiday Schedule as submitted. Mr. Tracey seconded and the motion passed unanimously.

Discussion/decision regarding the 2014 Board of Selectmen's meeting schedule-After some discussion, the schedule was adjusted. A copy of the revised schedule is attached to the minutes.

Mr. Muller moved to approve the Board of Selectmen's Meeting Schedule as amended with the following amendments: February 6th and 24th, April 3rd and 21st, June 5th and 23rd, July 2nd and 17th and October 2nd and 21st. Mr. Tracey seconded and the motion passed unanimously.

Discussion/decision regarding the 2014/2015 Budget Schedule- The February 20th date was changed to February 24th. Mr. Muller moved to approve the 2014/2015 budget schedule as amended with the amendment being changing Thursday February 20th to Monday February 24th. Mr. Tracey seconded and the motion passed unanimously.

Request for property tax refunds

Mercedes – Benz Financial Services	\$550.06
VW Credit Leasing LTD	\$542.06
BMW Financial Services	\$371.83
Caroline Hillman	\$326.58
Chase auto Finance Service	\$213.82
Honda Financial Services	\$79.67
Linda Roig	<u>\$66.66</u>
Total	\$2,150.68

Mr. Muller moved to approve property tax refunds of \$2,150.68 as listed on the October 17, 2013 Board of Selectmen's agenda. Mr. Tracey seconded and the motion passed unanimously.

Open Items

Updates

First Selectmen updates- Regarding the merger between the South Western and Housatonic regions, we submitted the letter of intent to Office of Policy and Management. The two sub-committees met last week to discuss next steps moving forward. At this point, they are trying to figure out if it's best to approach OPM or the legislature to make sure that the merger happens strictly between our two regions. There was a petition by another region requesting to merge with Greater Bridgeport, so they are hoping that OPM will honor their request for Greater Bridgeport to move there.

Senior Center- No update.

Any other business to come properly before the meeting- Ms. Weinstein moved to add a Discussion/decision regarding the Charter Revision Commission report. Mr. Muller seconded and the motion passed unanimously.

Harvey Bellin- Asked if everyone agreed that the issue that was discussed here regarding the Gilson case had never been discussed at a public meeting before. Ms. Weinstein said that she thinks that there are two issues. The first issue is, is it legal to have a quorum requirement. After Town Attorney looked at all the documents she made it clear that yes, it is legal for the municipality to have a quorum requirement. To her, the Gilson case is off the table, the question is whether it is the right decision for the Town of Weston. In her opinion, the issue that we have with the quorum, is essentially that once we added the referendum to increase voter participation, what it did was destroy voter participation at the ATBM. We as a community need to decide what we want to do.

Bob Ferguson- He said he was making two points about the importance of the Gilson case. A case specifically involving Weston should be considered with a little bit more emphasis than just another case for another municipality in another jurisdiction. None of these issues were public knowledge until very recently. Regarding the referendum vote that we had on the Charter Revision in 2012,, anybody that voted in that referendum certainly didn't understand these nuances. He thinks that the referendum vote may not be completely valid. Presenting what the entire case is, he thinks would be a very important step into getting the entire Town on board with exactly what the issues are.

Ms. Weinstein said she feels the question of legality can be put aside and the question that we need to decide is whether the quorum is right. Mr. Ferguson said that the issue is put to bed legally but you can get sued for anything. Ms. Weinstein said she feels very confident in the decision given to us by the Town Attorney.

Mr. Muller said we pay money to have Town counsel interpret the law. Our job is not to second guess the opinion of the person that we hired to give us this advice.

Mr. Tracey said we can't run the Town worrying about whether someone is going to bring a lawsuit that is baseless. We have to make a judgment as leaders of the Town what's legal and what's not legal based on the advice of the counsel. He is completely comfortable that having a quorum is legal and if someone sues it will be baseless. He agrees with Ms. Weinstein that this is off the table.

Ken Edgar- There is one problem with their amendments. They thought that the amendments were going to be approved at this election in November, so if you look at the last line of their amendments it says that it will be effective in 2013 when approved by the electors. The Board needs to give the Charter Commission a comment that says that the effective date is in 2014.

Christine Lomuscio- She said that it should be either the ATBM or the referendum.

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Mr. Muller said he has no issue with any of the other amendments that were made. He feels that all it's going to take to increase attendance at the ATBM is one budget where enough people show up and vote something down. His preference would be to go back to the way we had it before, that we don't have an automatic referendum but we have the provision that enough people want it then we have it.

Mr. Tracey said he also doesn't think that there is anything undemocratic about the proposal. Under the proposed system and our existing system everyone has the right to vote on the budget. He thinks it is a very democratic system and he also thinks that having a minimal number to make changes to the settled budget is sensible so he has no problem with that. He agrees with Mr. Muller and defers to the commission for the number. What concerns him is that this could have a negative effect on the ATBM. We do not want people to make the effort to come out and have them feel disenfranchised. We need to focus on making the ATBM a useful event where people can express their views, hear facts, debate the issues and really engage in the democratic process and then vote.

After some more discussion Mr. Muller moved to resubmit the document with a comment that the effective date should be switched from 2013 to 2014. Mr. Tracey seconded and the motion passed unanimously.

At 9:30pm Mr. Muller moved to adjourn the meeting. Mr. Tracey seconded and the motion passed unanimously.

Respectfully submitted

Judy M. DeVito
Administrative Assistant
Approved 11/07/13